

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America
v.

Case No. 3:23-mj-00190

LUCIANO GABRIEL RODRIGUEZ-ORTIZ

*Defendant(s)***CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 27, 2023 in the county of Washington and elsewhere in the
District of Oregon, the defendant(s) violated:*Code Section**Offense Description*21 U.S.C. §§ 841(a)(1), (b)(1)(A)
(vi), and 846Possession with intent to distribute controlled substances (fentanyl) and
conspiracy to possess with intent to distribute controlled substances (fentanyl)

18 U.S.C. § 924(c)

Possession of a Firearm during and in relation to a drug trafficking crime

This criminal complaint is based on these facts:

See affidavit of DEA, Special Agent John Ludwig which is attached and incorporated fully by reference

☒ Continued on the attached sheet.*/s/ Signed by Telephone**Complainant's signature*

Thomas Hahn, Jr. DEA Task Force Officer

*Printed name and title*Sworn to by telephone or other reliable means at 5:51 ~~am~~ pm in accordance with Fed. R. Crim. P. 4.1Date: October 28, 2023
*Judge's signature*City and state: Portland, Oregon

YOULEE YIM YOU, U.S. Magistrate Judge

Printed name and title

DISTRICT OF OREGON, ss:

AFFIDAVIT OF THOMAS HAHN JR.

Affidavit in Support of a Criminal Complaint and Arrest Warrant

1. I, Thomas Hahn Jr. being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

2. I, Tigard Police Officer Thomas Hahn Jr., currently hold the rank of Detective and am assigned as a Task Force Officer (TFO) to the Portland Drug Enforcement Administration (DEA) Portland Office Group D-51. Prior to my assignment I spent eight (8) years as a Detective in the Tigard Police Commercial Crimes Unit. I have received over 2,900 hours of training as documented by the Department of Public Safety Standards and Training (DPSST). I have received specialized training in the area of narcotics investigations including; narcotics identification, surveillance techniques, handling and packaging of evidence, and testing of suspected controlled substances by scientifically accepted methods. This training has been provided to me by DPSST, the DEA, and in-service training through the Tigard Police Department. Included in my training and experience, I have training specific to the identification and investigation of people involved in the use, sale, manufacturing and/or delivery of controlled substances including, but not limited to, methamphetamine, cocaine, marijuana, MDMA, heroin, fentanyl and other controlled substances.

3. I have had numerous conversations with individuals involved in the illegal distribution, possession, trafficking and manufacturing of controlled substances and have become familiar with their methods of operation. I am familiar with investigations of drug trafficking organizations (DTOs), including methods of importation and distribution of controlled substances. The information set forth below is based on information and/or on conversations I have had with other law enforcement officers.

Affidavit of Task Force Officer Thomas Hahn Jr.

4. I submit this affidavit in support of a criminal complaint and arrest warrant for **Luciano Gabriel Rodriguez-Ortiz** (“Ortiz”) for violations of Title 21, United States Code, Sections 841(a)(1), Possession with Intent to Distribute Controlled Substances.

5. This affidavit is intended only to show that there is sufficient probable cause for the requested arrest warrant and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

Applicable Law

6. Title 21, United States Code, Section 841(a)(1), (b)(1)(B), makes it illegal to possess with the intent to distribute a controlled substance, including 500 grams or more of a substance or mixture containing a detectable amount of cocaine and 18 USC 924 C the use or carrying of a firearm during and in relation to a crime of violence or drug trafficking crime. Based on the facts from this investigation, these offenses carry a maximum sentence of 5-40 years’ imprisonment, a fine of up to \$5 million, and a five-year term of supervised release. Title 18, United States Code Section 924(c), makes it illegal to possess a firearm in furtherance of a drug trafficking crime. This offense carries a mandatory 60 month prison sentence (consecutive to the drug offense).

Statement of Probable Cause

Sources of Information

7. [REDACTED]

8. [REDACTED]

Background of the Investigation

9. The Drug Enforcement Administration, Portland District Office Group D-51, in conjunction with task force agents and officers with Homeland Security Investigations (HSI), and Tigard Police Department (TPD), Washington County Sheriff's Office (WCSO), and Sherwood Police Department (SPD) ("Investigators") are investigating a Drug Trafficking Organization (DTO) and its members both known and unknown regarding possible violations of 21 U.S.C. §§ 841(a)(1) and 846. More specifically, this DTO is suspected of importing controlled substances, including fentanyl pills, heroin, and methamphetamine from Mexico into the United States and conspiring to distribute those drugs in Oregon and Washington. To date, Investigators have seized (including packaging) over 989.3 grams of blue pills containing

fentanyl, 1,035.9 grams of methamphetamine, 42.1 grams of heroin and received approximately \$75,000 in U.S. currency believed to be drug proceeds from the DTO.

10. On June 29, 2023,

[REDACTED]

11. On August 15th, 2023,

[REDACTED]

12. On August 29, 2023,

[REDACTED]

September 2023: UM-6854 Uses Target Vehicle to Bring Drugs to Controlled Purchase

13. In mid-September, 2023, investigators met with [REDACTED] for the purpose of conducting a controlled purchase of cocaine from UM-6854. Investigators met with [REDACTED] at a pre-determined neutral location where they searched the [REDACTED]'s person and vehicle for contraband or money and found [REDACTED] to be in possession of a small amount of US Currency. Investigators held the U.S. Currency during the controlled purchase. [REDACTED] informed Investigators UM-6854 provides the narcotics with the deal being that [REDACTED] pay UM-6854 for the drugs a few days later. Investigators then provided [REDACTED] with an audio recorder and transmitting device. At law enforcement's direction, [REDACTED] called UM-6854 via SP-6854 and asked for the same favor as last time. UM-6854 asked if [REDACTED] was already there and [REDACTED] told him no. UM-6854 said he would be there in 40 minutes. [REDACTED] drove into a common parking lot to conduct the controlled purchase with UM-6854.

14. A short while later Investigators observed a black GMC Yukon bearing California license plate [REDACTED] 643 pull into the parking lot of an apartment complex located at [REDACTED] SW Allen Blvd. Beaverton, OR. UM-6854 exited the vehicle carrying a dark colored backpack and entered an apartment in Building J of the complex. UM-6854 exited the apartment building and approached [REDACTED]'s vehicle. UM-6854 entered [REDACTED]'s vehicle on the passenger side and provided [REDACTED] with the ordered narcotics. After only a few moments, UM-6854 exited [REDACTED]'s vehicle and walked towards the GMC Yukon.

15. Investigators continued surveillance of the GMC Yukon as UM-6854 entered the driver side of the vehicle and drove out of the parking lot. The GMC Yukon traveled eastbound on SW Allen Blvd. but Investigators were unable to continue surveillance.

16. Investigators followed [REDACTED] to the predetermined neutral meet location and retrieved the ordered narcotics. [REDACTED] told Investigators UM-6854 got in the vehicle and handed [REDACTED] the ordered narcotics then exited the vehicle. Investigators seized one bundle of a white powder that tested positive for cocaine and weighted 59.2 grams (including packaging material). Investigators returned the US Currency to [REDACTED] following the controlled purchase.

October 2023: Investigators follow UM-6854 from Two Premises before Distributing Drugs to [REDACTED] during Controlled Purchase

17. In October 2023, Investigators met with [REDACTED] for the purpose of conducting a controlled purchase of cocaine from UM-6854. Investigators met with [REDACTED] at a pre-determined neutral location where they searched [REDACTED]'s person and vehicle for contraband or money and found [REDACTED] to be in possession of a small amount of US Currency. Investigators held the US Currency during the controlled purchase. Investigators then provided [REDACTED] with an audio recorder and transmitting device. [REDACTED] at law enforcement's direction, called UM-6854 via SP-6854 and asked for another favor. UM-6854 told [REDACTED] he needed 20 minutes.

18. Prior to [REDACTED] leaving the neutral meet location, Investigators established physical surveillance of 14100 SW Allen Blvd Beaverton, OR and observed the GMC Yukon parked in the parking lot. Investigators observed a Hispanic male exit Building J from the second-floor right hand door with nothing in his hands. The Hispanic male walked to the GMC Yukon and began to drive out of the parking lot. Investigators continued physical surveillance of the GMC Yukon as it drove to 11851 SW Windmill Drive Beaverton, OR and parked in front of building

32. Investigators observed the same Hispanic male exiting the area of building 32 and walk back to the GMC Yukon.

19. [REDACTED] drove into a common parking lot to conduct the controlled purchase with UM-6854. Investigators continued physical surveillance of the GMC Yukon as it travelled back to 14100 SW Allen Blvd. Beaverton, OR and parked in the same parking spot. UM-6854 exited the GMC Yukon and approached [REDACTED]'s vehicle. UM-6854 entered [REDACTED]'s vehicle on the passenger side and provided [REDACTED] with the ordered narcotics. Investigators could hear through the audio transmitter UM-6854 counting the governmental funds. UM-6854 exited [REDACTED]'s vehicle and walked back to [REDACTED] SW Allen Blvd. Building J, into the door on the right of the second floor. On October 17, 2023, Investigators walked to [REDACTED] SW Allen Blvd Building J, up to the second floor and identified the right hand door and Unit # [REDACTED]

20. Investigators followed [REDACTED] to the predetermined neutral meet location and retrieved the ordered narcotics. [REDACTED] told Investigators UM-6854 got in the vehicle and [REDACTED] handed UM-6854 the governmental funds and UM-6854 counted it. UM-6854 handed [REDACTED] the ordered narcotics then exited the vehicle. Investigators seized one bundle of a white powder that tested positive for cocaine and weighted 59.8 grams (including packaging material). Investigators returned the US Currency to [REDACTED] following the controlled purchase.

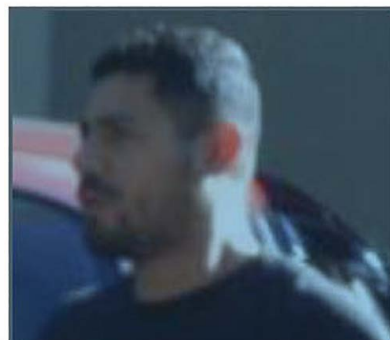
***October 2023: Commons at Redwood Creek Records Identify
Luciano Gabriel Rodriguez-Ortiz as Resident at SW Windmill Drive Premises***

21. On October 17, 2023 Investigators served an administrative subpoena for rental agreement information for the Commons at Redwood Creek located at 12015 SW Walden Lane Beaverton, OR 97005. Investigators received a rent roll for the complex and specifically Building 32 [REDACTED] SW Windmill Drive Beaverton, OR which is rented to Karina Hernandez and Luciano Rodriguez-Ortiz. In that same rent roll it provided, address, cellular phone numbers,

dates of birth, driver's license numbers and vehicle information, all of which are listed below for Luciano Rodriguez-Ortiz;

- Luciano Rodriguez-Ortiz
- [REDACTED]
- Oregon Driver's License Number [REDACTED]
- Black GMC Yukon California License Plate [REDACTED] 643
- [REDACTED]-6854
- 11851 SW Windmill Drive Beaverton, OR

22. In review of the rent roll information, the Oregon driver's license [REDACTED] is assigned to Luciano Gabriel Rodriguez-Ortiz (hereafter "Ortiz") with address [REDACTED] SW Allen Blvd. Unit [REDACTED] Beaverton, OR. The rent roll provided an associated vehicle, GMC Yukon California license plate [REDACTED] 643. Investigators reviewed the Oregon driver's license photograph and compared it with physical and remote video surveillance of UM-6854 (ORTIZ) during a controlled purchase, see below photographs.



The rent roll information also listed the same of the cellular phone number for ORTIZ as the number [REDACTED] called to arrange controlled purchases. The black GMC Yukon bearing California license plate [REDACTED] 643 is the same vehicle UM-6854 used to deliver cocaine during the controlled purchases. The address for ORTIZ on his Oregon driver's license is that of [REDACTED] SW Allen Blvd. Beaverton, OR.

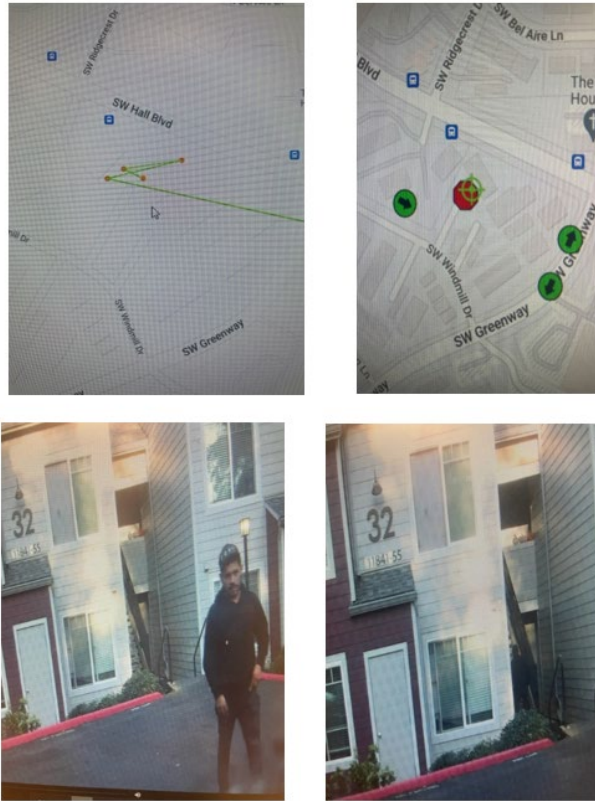
October 2023: Digital Surveillance Overlaid with Geolocation, Tracker Data for Ortiz's Yukon and Lease Records Associate Ortiz with Windmill Drive Premises

23. On October 6, 2023, Investigators applied for and were granted a Search Warrant by United States District Court Judge Jolie A Russo, in the District of Oregon, signed a court order (filed in 3:23-mc-868) authorizing geolocation data for ORTIZ's cellular phone ([REDACTED] - [REDACTED]) 6854.

24. On October 16, 2023, Investigators applied for and were granted a Search Warrant by United States District Judge Jeffrey Armistead, in the District of Oregon, signed a court order (filed in 3:23-mc-00893) authorizing a vehicle tracker on the GMC Yukon bearing California license [REDACTED] 643.

25. On October 17, 2023 Investigators installed remote video surveillance cameras facing Building 32 which contained addresses of [REDACTED] SW Windmill Drive. The remote cameras specifically captured the stair way leading to the second story which is [REDACTED] SW Windmill Drive (left hand door) and one additional apartment [REDACTED] (right hand door).

26. On October 19, 2023, at 4:45PM ORTIZ's geolocation data and the GMC Yukon tracker data showed he traveled to [REDACTED] SW Windmill Drive Beaverton, OR. Investigators reviewed remote video surveillance and observed ORTIZ walking to Building 32 and up the stairs to the left apartment of two apartments on that floor. See below photographs of tracker data, geolocation data and remote video surveillance;



October 24, 2023: Investigators Stop ORTIZ in the GMC Yukon and Seize Cocaine and Firearm at Ortiz’s Windmill Apartment

27. On October 24, 2023, Investigators applied for and were granted a Search Warrant by United States District Judge Youlee Yim You, in the District of Oregon, signed a court order authorizing a search warrant for [REDACTED] SW Windmill Drive Beaverton, OR, [REDACTED] SW Allen Blvd. Unit [REDACTED] Beaverton, OR and a GMC Yukon bearing California License plate [REDACTED] 643.

28. On October 27, 2023 at approximately 6:00AM Investigators conducted physical surveillance of [REDACTED] SW Windmill Drive Beaverton, OR and the GMC Yukon. At 6:09AM Investigators observed ORTIZ and a second Hispanic Male later identified as Julian Ortiz-Avala (“AVALA”) walk from [REDACTED] SW Windmill Drive Beaverton, OR to the GMC Yukon. ORTIZ got in the driver seat of the GMC Yukon and begin to drive out of the parking lot. Investigators

followed the GMC Yukon and conducted a traffic stop utilizing emergency lights on the Highway 217 onramp from SW Hall Blvd.

29. Investigators contacted the driver ORTIZ and the passenger AVALA and detained Both men. Investigators searched ORTIZ and located \$1,050 US Currency in his wallet along with a cellular phone in his pocket. Investigators called [REDACTED]-6854, the number used by ORTIZ during the controlled purchases and the cellular phone from ORTIZ's pocket rang displaying the Investigators phone number. Investigators searched AVALA and located a cellular phone in his pocket. Investigators searched the search warrant on the GMC Yukon and found a glass smoking device commonly used to smoke narcotics but did not find any other items of evidentiary value.

30. At 6:45AM Investigators executed the search warrant for [REDACTED] SW Windmill Drive Beaverton, OR. During the execution of the search warrant Investigators encountered Karina Yanet Hernandez-Correa ("CORREA"), the girlfriend of ORTIZ. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

31. Investigators searched the residence and inside the ORTIZ and CORREA's bedroom, Investigators located inside the night stand a white powder substance wrapped in plastic later testing positive for cocaine. Investigators located behind the same night stand additional white powder wrapped in plastic later testing positive for cocaine along with a tan and black Palmetto State Armory 9mm handgun. The gun's magazine was loaded with 10 bullets. There was not a bullet in the chamber. Below are images of the drugs and firearm seized pursuant to the search warrant at ORTIZ's residence:



32. Investigators searched AVALA's bedroom and located packaging material and a glass smoking pipe.

[REDACTED]

33. Investigators read ORTIZ his rights according to Miranda in Spanish and he told Investigators he understood his rights and agreed to speak with Investigators. ORTIZ said he worked full-time with his brother AVILA at Lowe's but did not make enough money. ORTIZ told Investigators he sold cocaine on the side to make additional money. ORTIZ stated [REDACTED]
[REDACTED] ORTIZ stored the cocaine in his bedroom in case Investigators or potential robbers came to the apartment [REDACTED]
would not be in possession of the drugs.

34. ORTIZ told Investigators he bought the gun from a friend for protection, so that he did not get robbed while selling cocaine. I know from my training and experience and speaking with other Investigators, those who sell narcotics will carry a firearm for protection due to the large quantity of US Currency and narcotics they carry. Drug Traffickers will carry firearms for protection due to the fact they are selling narcotics and will not call Law Enforcement due to their narcotics sales.

35. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

36. In total investigators seized \$1,050 of U.S Currency, 980.0 gross grams of cocaine to include packaging and a Palmetto State Armory 9mm handgun from the bedroom of ORTIZ located at [REDACTED] SW Windmill Drive Beaverton, OR.

Conclusion

37. In Summary, I believe that ORITZ is the user of SP-6854 and facilitated and arranged a narcotics transaction with [REDACTED] in September and October of 2023. Further, I believe that ORTIZ was in possessed with intent to distribute the 980.0 gross grams of cocaine in his residence, and that he possessed the firearm found near the drugs in furtherance of his drug distribution. Based on these facts I believe ORTIZ engaged in the Target Offenses.

38. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Paul Maloney and AUSA Maloney advised me that in his opinion the affidavit and complaint are

legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant

Request for Sealing

39. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time is likely to seriously jeopardize the ongoing investigation. Premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

/s/ Sworn to by telephone

In accordance with Fed. R. Crim. P. 4.1

Thomas Hahn Jr.
DEA Task Force Officer

Sworn to by telephone at 5:51 ~~am~~ p.m. this 28th day of October , 2023 in
accordance with Fed. R. Crim. P. 4.1.

Youlee Jim You

HONORABLE YOULEE YIM YOU
United States Magistrate Judge